



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB2865

Introduced 2/22/2005, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

110 ILCS 305/7

from Ch. 144, par. 28

Amends the University of Illinois Act. Makes a technical change in a Section concerning the powers of trustees.

LRB094 06655 RAS 36749 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Act is amended by
5 changing Section 7 as follows:

6 (110 ILCS 305/7) (from Ch. 144, par. 28)

7 Sec. 7. Powers of trustees.

8 (a) The ~~The~~ trustees shall have power to provide for the
9 requisite buildings, apparatus, and conveniences; to fix the
10 rates for tuition; to appoint such professors and instructors,
11 and to establish and provide for the management of such model
12 farms, model art, and other departments and professorships, as
13 may be required to teach, in the most thorough manner, such
14 branches of learning as are related to agriculture and the
15 mechanic arts, and military tactics, without excluding other
16 scientific and classical studies. The trustees shall, upon the
17 written request of an employee withhold from the compensation
18 of that employee any dues, payments or contributions payable by
19 such employee to any labor organization as defined in the
20 Illinois Educational Labor Relations Act. Under such
21 arrangement, an amount shall be withheld from each regular
22 payroll period which is equal to the pro rata share of the
23 annual dues plus any payments or contributions, and the
24 trustees shall transmit such withholdings to the specified
25 labor organization within 10 working days from the time of the
26 withholding. They may accept the endowments and voluntary
27 professorships or departments in the University, from any
28 person or persons or corporations who may offer the same, and,
29 at any regular meeting of the board, may prescribe rules and
30 regulations in relation to such endowments and declare on what
31 general principles they may be admitted: Provided, that such
32 special voluntary endowments or professorships shall not be

1 incompatible with the true design and scope of the act of
2 congress, or of this Act: Provided, that no student shall at
3 any time be allowed to remain in or about the University in
4 idleness, or without full mental or industrial occupation: And
5 provided further, that the trustees, in the exercise of any of
6 the powers conferred by this Act, shall not create any
7 liability or indebtedness in excess of the funds in the hands
8 of the treasurer of the University at the time of creating such
9 liability or indebtedness, and which may be specially and
10 properly applied to the payment of the same. Any lease to the
11 trustees of lands, buildings or facilities which will support
12 scientific research and development in such areas as high
13 technology, super computing, microelectronics, biotechnology,
14 robotics, physics and engineering shall be for a term not to
15 exceed 18 years, and may grant to the trustees the option to
16 purchase the lands, buildings or facilities. The lease shall
17 recite that it is subject to termination and cancellation in
18 any year for which the General Assembly fails to make an
19 appropriation to pay the rent payable under the terms of the
20 lease.

21 Leases for the purposes described herein exceeding 5 years
22 shall have the approval of the Illinois Board of Higher
23 Education.

24 The Board of Trustees may, directly or in cooperation with
25 other institutions of higher education, acquire by purchase or
26 lease or otherwise, and construct, enlarge, improve, equip,
27 complete, operate, control and manage medical research and high
28 technology parks, together with the necessary lands,
29 buildings, facilities, equipment and personal property
30 therefor, to encourage and facilitate (a) the location and
31 development of business and industry in the State of Illinois,
32 and (b) the increased application and development of technology
33 and (c) the improvement and development of the State's economy.
34 The Board of Trustees may lease to nonprofit corporations all
35 or any part of the land, buildings, facilities, equipment or
36 other property included in a medical research and high

1 technology park upon such terms and conditions as the
2 University of Illinois may deem advisable and enter into any
3 contract or agreement with such nonprofit corporations as may
4 be necessary or suitable for the construction, financing,
5 operation and maintenance and management of any such park; and
6 may lease to any person, firm, partnership or corporation,
7 either public or private, any part or all of the land,
8 building, facilities, equipment or other property of such park
9 for such purposes and upon such rentals, terms and conditions
10 as the University may deem advisable; and may finance all or
11 part of the cost of any such park, including the purchase,
12 lease, construction, reconstruction, improvement, remodeling,
13 addition to, and extension and maintenance of all or part of
14 such high technology park, and all equipment and furnishings,
15 by legislative appropriations, government grants, contracts,
16 private gifts, loans, receipts from the operation of such high
17 technology park, rentals and similar receipts; and may make its
18 other facilities and services available to tenants or other
19 occupants of any such park at rates which are reasonable and
20 appropriate.

21 The Trustees shall have power (a) to purchase real property
22 and easements, and (b) to acquire real property and easements
23 in the manner provided by law for the exercise of the right of
24 eminent domain, and in the event negotiations for the
25 acquisition of real property or easements for making any
26 improvement which the Trustees are authorized to make shall
27 have proven unsuccessful and the Trustees shall have by
28 resolution adopted a schedule or plan of operation for the
29 execution of the project and therein made a finding that it is
30 necessary to take such property or easements immediately or at
31 some specified later date in order to comply with the schedule,
32 the Trustees may acquire such property or easements in the same
33 manner provided in Sections 7-103 through 7-112 of the Code of
34 Civil Procedure.

35 The Board of Trustees also shall have power to agree with
36 the State's Attorney of the county in which any properties of

1 the Board are located to pay for services rendered by the
2 various taxing districts for the years 1944 through 1949 and to
3 pay annually for services rendered thereafter by such district
4 such sums as may be determined by the Board upon properties
5 used solely for income producing purposes, title to which is
6 held by said Board of Trustees, upon properties leased to
7 members of the staff of the University of Illinois, title to
8 which is held in trust for said Board of Trustees and upon
9 properties leased to for-profit entities the title to which
10 properties is held by the Board of Trustees. A certified copy
11 of any such agreement made with the State's Attorney shall be
12 filed with the County Clerk and such sums shall be distributed
13 to the respective taxing districts by the County Collector in
14 such proportions that each taxing district will receive
15 therefrom such proportion as the tax rate of such taxing
16 district bears to the total tax rate that would be levied
17 against such properties if they were not exempt from taxation
18 under the Property Tax Code.

19 The Board of Trustees of the University of Illinois,
20 subject to the applicable civil service law, may appoint
21 persons to be members of the University of Illinois Police
22 Department. Members of the Police Department shall be peace
23 officers and as such have all powers possessed by policemen in
24 cities, and sheriffs, including the power to make arrests on
25 view or warrants of violations of state statutes and city or
26 county ordinances, except that they may exercise such powers
27 only in counties wherein the University and any of its branches
28 or properties are located when such is required for the
29 protection of university properties and interests, and its
30 students and personnel, and otherwise, within such counties,
31 when requested by appropriate state or local law enforcement
32 officials; provided, however, that such officer shall have no
33 power to serve and execute civil processes.

34 The Board of Trustees must authorize to each member of the
35 University of Illinois Police Department and to any other
36 employee of the University of Illinois exercising the powers of

1 a peace officer a distinct badge that, on its face, (i) clearly
2 states that the badge is authorized by the University of
3 Illinois and (ii) contains a unique identifying number. No
4 other badge shall be authorized by the University of Illinois.
5 Nothing in this paragraph prohibits the Board of Trustees from
6 issuing shields or other distinctive identification to
7 employees not exercising the powers of a peace officer if the
8 Board of Trustees determines that a shield or distinctive
9 identification is needed by the employee to carry out his or
10 her responsibilities.

11 The Board of Trustees may own, operate, or govern, by or
12 through the College of Medicine at Peoria, a managed care
13 community network established under subsection (b) of Section
14 5-11 of the Illinois Public Aid Code.

15 The powers of the trustees as herein designated are subject
16 to the provisions of "An Act creating a Board of Higher
17 Education, defining its powers and duties, making an
18 appropriation therefor, and repealing an Act herein named",
19 approved August 22, 1961, as amended.

20 The Board of Trustees shall have the authority to adopt all
21 administrative rules which may be necessary for the effective
22 administration, enforcement and regulation of all matters for
23 which the Board has jurisdiction or responsibility.

24 (b) To assist in the provision of buildings and facilities
25 beneficial to, useful for, or supportive of University
26 purposes, the Board of Trustees of the University of Illinois
27 may exercise the following powers with regard to the area
28 located on or adjacent to the University of Illinois at Chicago
29 campus and bounded as follows: on the West by Morgan Street; on
30 the North by Roosevelt Road; on the East by Union Street; and
31 on the South by 16th Street, in the City of Chicago:

32 (1) Acquire any interests in land, buildings, or
33 facilities by purchase, including installments payable
34 over a period allowed by law, by lease over a term of such
35 duration as the Board of Trustees shall determine, or by
36 exercise of the power of eminent domain;

1 (2) Sub-lease or contract to purchase through
2 installments all or any portion of buildings or facilities
3 for such duration and on such terms as the Board of
4 Trustees shall determine, including a term that exceeds 5
5 years, provided that each such lease or purchase contract
6 shall be and shall recite that it is subject to termination
7 and cancellation in any year for which the General Assembly
8 fails to make an appropriation to pay the rent or purchase
9 installments payable under the terms of such lease or
10 purchase contract; and

11 (3) Sell property without compliance with the State
12 Property Control Act and retain proceeds in the University
13 Treasury in a special, separate development fund account
14 which the Auditor General shall examine to assure
15 compliance with this Act.

16 Any buildings or facilities to be developed on the land shall
17 be buildings or facilities that, in the determination of the
18 Board of Trustees, in whole or in part: (i) are for use by the
19 University; or (ii) otherwise advance the interests of the
20 University, including, by way of example, residential
21 facilities for University staff and students and commercial
22 facilities which provide services needed by the University
23 community. Revenues from the development fund account may be
24 withdrawn by the University for the purpose of demolition and
25 the processes associated with demolition; routine land and
26 property acquisition; extension of utilities; streetscape
27 work; landscape work; surface and structure parking;
28 sidewalks, recreational paths, and street construction; and
29 lease and lease purchase arrangements and the professional
30 services associated with the planning and development of the
31 area. Moneys from the development fund account used for any
32 other purpose must be deposited into and appropriated from the
33 General Revenue Fund. Buildings or facilities leased to an
34 entity or person other than the University shall not be subject
35 to any limitations applicable to a State supported college or
36 university under any law. All development on the land and all

1 use of any buildings or facilities shall be subject to the
2 control and approval of the Board of Trustees.

3 (Source: P.A. 92-370, eff. 8-15-01; 93-423, eff. 8-5-03.)